IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WA.No. 1765 of 2007

(AGAINST THE ORDER IN WPC.20445/2007 Dated 04/07/2007)

APPELLANT/PETITIONER:

P.R. ARAVINDAKSHAN NAIR,
MANAGING PARTNER, M/S. SABILA PHARMACEUTICALS,
NECHIPUZHOOR P.O., PALA.

BY ADV. SRI.P.V.JAYACHANDRAN

RESPONDENTS/RESPONDENTS:
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1. THE ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD.

2. THE EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD, PALA.

3. CHIEF ELECTRICAL INSPECTOR,
OFFICE OF THE CHIEF ELECTRICAL INSPECTOR OF
GOVERNMENT, THIRUVANANTHAPURAM.

4. KERALA STATE ELECTRICITY BOARD,
PATTOM P.O., THIRUVANANTHAPURAM, REPRESENTED BY
ITS SECRETARY.

BY ADV. SHRI C.K. KARUNAKARAN, SC, K.S.E.B.
BY ADV. SRI.K.S.ANIL, SC, KSEB

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 1765 OF 2007

Dated this the 19th July, 2007

JUDGMENT

H.L.DATTU, C.J.

Against the interim order passed by a learned single Judge of this Court in W.P.(C) No.20445 of 2007, dated 4th July, 2007, the petitioner is before us in this appeal.

2. Normally, this Court would not interfere with the interim orders and directions issued by a learned single Judge, in exercise of its extraordinary and discretionary jurisdiction, unless the interim order passed is either arbitrary or capricious, etc.

3. In the instant case, the learned Judge has passed a conditional order directing the appellant/petitioner to deposit a sum of Rs.One lakh and if such deposit is made, the learned Judge has further directed the respondent Electricity Board, not to disconnect the supply of power to the petitioner's Unit. In our opinion, the order so passed by the learned single Judge cannot be characterised either arbitrary or capricious. Therefore, interference with the said interim order is not called for. Accordingly, the Writ Appeal requires to be rejected and it is rejected. The appellant/petitioner is granted fifteen days' time from today to comply with the interim order passed

by the learned single Judge in W.P.(C) No.20445 of 2007.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/